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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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COURTNEY TAMAGNY AND  
JEANNE TAMAGNY

Plaintiffs,

CASE NO.: 2:25-cv-00732

-VS-

DIVISION OF CHILD PROTECTION  
AND PERMANENCY; NEW JERSEY  
DEPARTMENT OF CHILDREN AND  
FAMILIES; CHRISTINE NORBUT  
BEYER, et al

ANSWER TO COUNTERCLAIM

Defendants

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COURTNEY TAMAGNY AND JEANNE TAMAGNY by way of  
answer to the Counterclaim state as follows:

**COUNT 1**

1. Plaintiff Courtney Tamagny denies the allegations contained in this

paragraph of the Counterclaim.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

## **COUNT 2**

1. Plaintiffs repeat each of their responses to the Counterclaim as if set forth herein at length.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

3. Admitted.

4. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

5. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

6. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

7. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

8. Plaintiff Courtney Tamagny denies the allegations contained in this

paragraph of the Counterclaim.

9. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 3**

1. Plaintiffs repeat the allegation contained in the above paragraphs as if set forth herein at length.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

3. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 4**

1. Plaintiffs repeat the statements set forth in the preceding paragraphs as if set forth herein at length.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 5**

1. Plaintiffs repeat the statements set forth in the preceding paragraphs as if set forth herein at length.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

3. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

4. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

#### **COUNT 6**

1. Plaintiffs reallege the preceding paragraphs of this response as if set forth in full here.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

3. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

#### **COUNT 7**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.

2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

3. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 8**

1. Plaintiffs realleges the preceding paragraphs as if set forth in full here.
2. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.
4. Plaintiff Courtney Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 9**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.
2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 10**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.

2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

4. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

5. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

6. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

7. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

8. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

9. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

### **COUNT 11**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.

2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

**COUNT 12**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.
2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

**COUNT 13**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.
2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
4. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

**COUNT 14**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.

2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

**COUNT 15**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.
2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.

**COUNT 16**

1. Plaintiffs reallege the preceding paragraphs as if set forth in full here.
2. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
3. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.
4. Plaintiff Jeanne Tamagny denies the allegations contained in this paragraph of the Counterclaim.



### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs demand judgment dismissing Defendants Counterclaim with prejudice, together with attorneys' fees, costs of suit and such other and further relief as the Court deems just and equitable.

### **AFFIRMATIVE DEFENSE**

1. The claims of the Counterclaimant are barred by the truth of the claims therein.
2. Counterclaimant failed to state a cause of action upon which relief can be granted.
3. Counterclaim is barred by the Doctrine of Laches.
4. Counterclaimant was guilty of comparative negligence.
5. Counterclaimant failed to mitigate damages.
6. To the extent that any alleged loss occurred, such loss directly and proximately resulted from Counterclaimant's own fault or the fault of other third parties and any purported damage caused to Counterclaimant is wholly unrelated to any purposed acts, statements or alleged obligations of this Party.

7. This Party is informed and believes and thereon alleges that the matters complained of in the Counterclaim were proximately caused, in whole or in part, by the acts or omissions of a other party or parties. Accordingly, the liability of the responsible parties, named or unnamed, should be apportioned according to their respective degrees of fault or other legal responsibility, and the liability, if any, of this Party Third Party Defendant should be reduced accordingly.
8. Counterclaimants claims are barred by the legal and equitable doctrine of estoppel, collateral estoppel and waiver.
9. Counterclaimants claims are barred by the legal and equitable doctrine of Entire Controversy Doctrine and Mandatory Joinder.
10. This Party is entitled to apportionment if any of Counterclaimant claims are accurate.
11. This Party acted reasonably and in good faith based on all relevant facts and circumstances known by this Party at the time they so acted.

12. Any injuries Counterclaimant sustained are the result of an unforeseeable series of events over which Third Party Defendants had no control.

13. The Counterclaim fails to state a claim upon which relief can be granted and this party reserves the right to move at or before the time of trial to dismiss same.

14. Negligence, if any, on the part of this party was not the proximate cause of any injuries or damages which may have been sustained by the Counterclaimant.

15. This Party breached no duty owed to the Counterclaimant or other Defendants.

16. This Party fulfilled all of its duties and obligations whether arising from common law, statute, contract, tort or otherwise.

17. The damages of the Counterclaimant, if any, are as limited by the applicable laws of the State of New Jersey as respects comparative negligence.

18. Any injuries or damages suffered by Counterclaimant or others were the result of and/or the unavoidable consequence of Counterclaimants

own tortuous conduct and/or misconduct and actions.

19. The injuries or damages which are the subject matter of the Counterclaim are the result of acts omissions and/or conduct of other persons over whom this Party exercised no control and for whose conduct this Party was not responsible.

20. The negligence of Counterclaimant and/or other parties, or negligence attributable to them, bars recovery against this Party under the Doctrine of Contributory Negligence and is diminished by the percentage of Counterclaimants contributory negligence pursuant to N.J.S.A. 2A:155.1 et seq.

21. The claims of the Counterclaimant are barred by the courts' lack of *in persona* Jurisdiction.

22. This Party reserves the right to amend its Answer to the Counterclaim assert additional defenses.

Dated: June 12, 2025

*Demetrios K. Stratis*

DEMETRIOS K. STRATIS, ESQ.